

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF PUERTO RICO

COASTAL FUELS OF PUERTO RICO,  
INC.

Plaintiff

vs

GAD ZEEVI

Defendant

CIVIL 04-1300CCC

**O R D E R**

Before the Court is defendant Gad Zeevi's Motion to Alter or Amend Orders and for Reconsideration filed on September 26, 2005 (**docket entry 38**), opposed by plaintiff on October 11, 2005 (**docket entry 40**). The Court has carefully reviewed all of the relevant filings, including movant's untimely request for production of documents and notices of depositions submitted to plaintiff two days before the discovery deadline expired. Defendant should take notice that written discovery must be served at least thirty (30) days prior to the discovery deadline and depositions noted within a reasonable time within the deadline.

Zeevi argues that he was not served with the February 18, 2005 Case Management Order (docket entry 12), which established the August 31, 2005 discovery deadline, since he had not yet appeared in this lawsuit. He fails to acknowledge, however, that he was served in Israel on November 8, 2004 and did not appear in this case until March 15, 2005. Despite this, the Court denied plaintiff's motion for entry of default and default judgment and allowed him until April 16, 2005, as a final extension, to file his answer. See docket entry 15 and endorsed order on docket entry 11. His additional argument on reconsideration that he was not served with the Case Management Order and the docket only had a reference to the August 31, 2005 discovery deadline is frivolous. The record shows that he was fully aware of the discovery deadline and that nothing impeded him from reading the Case Management Order or any other

CIVIL 04-1300CCC

2

document after his counsel appeared on his behalf. Having considered the Motion to Alter or Amend Orders and for Reconsideration (**docket entry 38**), the opposition, and the circumstances outlined above, said motion is DENIED.

Defendant's prior Informative Motion Regarding Service of Requests for Production of Documents and Notice of Taking of Deposition (**docket entry 32**) is MOOT, since the Court has quashed said discovery (see endorsed Order on docket entry 33).

SO ORDERED.

At San Juan, Puerto Rico, on January 27, 2006.

S/CARMEN CONSUELO CEREZO  
United States District Judge